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PATENT  
Attorney Docket No.: S-9-6

Commissioner for Patents,  
Alexandria, VA 22313-1450

On

By

Michelle Nicely

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Lewis Sharps, et al.

Application No.: 10/613,115

Filed: July 3, 2003

For: **METHODS FOR REPAIRING DAMAGED  
INTERVERTEBRAL DISCS**

Examiner: Unassigned

Art Unit: Unassigned

**INFORMATION DISCLOSURE  
STATEMENT UNDER  
37 CFR §1.97 and §1.98**

Commissioner for Patents  
Alexandria, VA 22313-1450

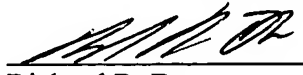
Sir:

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. A copy of each is enclosed.

It is respectfully requested that the cited information be considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue there from.

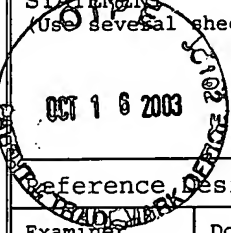
This IDS is being filed before the mailing date of the first Office Action on the merits. Accordingly, Applicants believe that no fee is necessary. Should a fee be deemed necessary for submission of this IDS, the Commissioner is authorized to charge the required fee to Deposit Account No. 50-0359.

Respectfully submitted,

  
Richard R. Batt  
Reg. No. 43,485

Oct 14, 2003  
Date

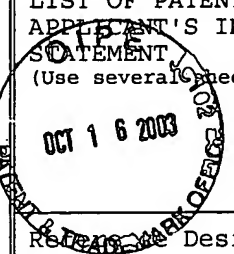
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FORM PTO-1449 (Modified)  LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)			Attorney Docket No.  <b>S-9-6</b>		Application No.:  <b>10/613,115</b>	
			Applicant: <b>Lewis Sharps et al.</b>			
			Filing Date: <b>July 3, 2003</b>		Group:	
Reference Designation			U.S. PATENT DOCUMENTS			
Examiner Initial	Document No.	Date	Name	Class	Sub-class	Filing Date
FOREIGN PATENT DOCUMENTS						
	Document No.	Date	Country	Class	Sub-class	Translation (yes/no)
___ AA /	EP 0 694 290	11/15/00	Europe	A61B	18/04	
___ AB /	92/21278	12/10/92	WIPO	A61B	5/04	
___ AC /	94/08654	04/28/94	WIPO	A61M	37/00	
___ AD /	97/00647	01/09/97	WIPO	A61B	17/39	
___ AE /	97/00646	01/09/97	WIPO	A61B	17/39	
___ AF /	EP 0 703 461	03/27/96	Europe	G01R	27/02	
___ AG /	EP 0 754 437	01/22/97	Europe	A61B	17/39	
___ AH /	97/48345	12/24/97	WIPO	A61B	17/39	
___ AI /	98/27880	07/02/98	WIPO	A61B	17/39	
___ AJ /	2 327 350	01/27/99	UK	A61B	17/39	
___ AK /	2 327 351	01/27/99	UK	A61B	17/39	
___ AL /	2 327 352	01/27/99	UK	A61B	17/39	
___ AM /	3930451	03/21/91	Germany	A61B	17/39	
___ AN /	57-57802	04/05/82	JP	A61B	1/00	
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
___ AO /	Pearce, John A. (1986) <i>Electrosurgery</i> , pgs. 17, 69-75, 87, John Wiley & Sons, New York.					
___ AP /	J.W. Ramsey et al. <i>Urological Research</i> Vol. 13, pp. 99-102 (1985).					
___ AQ /	V.E. Elsasser et al. <i>Acta Medico Technica</i> Vol. 24, No. 4, pp. 129-134 (1976).					
___ AR /	P.C. Nardella (1989) <i>SPIE</i> 1068:42-49 Radio Frequency Energy and Impedance Feedback					
___ AS /	R. Tucker et al., Abstract P14-11, p. 248, "A Bipolar Electrosurgical Turp Loop"					
___ AT /	R. Tucker et al. <i>J. of Urology</i> Vol. 141, pp. 662-665, (1989).					
___ AU /	R. Tucker et al. <i>Urological Research</i> Vol. 18, pp. 291-294 (1990).					
___ AV /	Kramolowsky et al. <i>J. of Urology</i> Vol. 143, pp. 275-277 (1990).					
EXAMINER			DATE CONSIDERED			

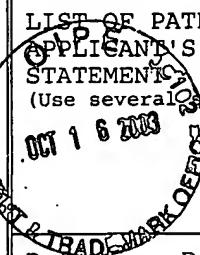
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FOREIGN PATENT DOCUMENTS						
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___ AW /	WO 95/34259	12/21/95	WIPO	A61F	5/48	
___ AX /	WO 93/13816	07/22/93	WIPO	A61B	17/36	
___ AY /	WO 90/07303	07/12/90	WIPO	A61B	17/39	
___ AZ	WO 94/04220	03/03/94	WIPO	yes	A61N	1/06
___ BA /	0 740 926 A2	11/06/96	EP	A61B	17/39	
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___ BC	97/24073	07/10/97	WIPO	A61B	17/39	
___ BD /	97/24993	07/17/97	WIPO	A61B	17/39	
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___ BF /	97/48346	12/24/97	WIPO	A61B	17/39	
___ BG /	98/07468	02/26/98	WIPO	A61N	1/40	
___ BH /	2 308 979	07/16/97	GB	A61B	17/36	
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___ BJ /	2 308 981	07/16/97	GB	A61B	17/36	
___ BK /	57-117843	07/22/82	JP	A61B	17/39	
___ BL /	99/51158	10/14/99	WIPO	A61B	17/39	
___ BM /	99/51155	10/14/99	WIPO	A61B	17/36	
___ BN /	98/27879	07/02/98	WIPO	A61B	17/36	
___ BO /	WO 97/24074	07/10/97	WIPO	A61B	17/39	
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
___ BP /	Kramolowsky et al. <i>J. of Urology</i> Vol. 146, pp. 669-674 (1991).					
___ BQ /	Slager et al. <i>Z. Kardiol.</i> 76:Suppl. 6, 67-71 (1987).					
___ BR /	Slager et al. <i>JACC</i> 5(6):1382-6 (1985).					
___ BS /	Olsen MD, Bipolar Laparoscopic Cholecstectomy Lecture (marked confidential), 10/07/91					
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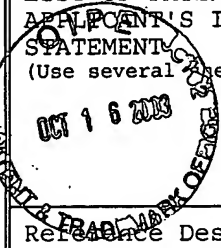
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<input checked="" type="checkbox"/>	93/20747	10/28/93	WIPO	A61B	5/00	
<b>OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>						
<input checked="" type="checkbox"/> BV	Codman & Shurtleff, Inc. "The Malis Bipolar Electrosurgical System CMC-III Instruction Manual" 7/1991					
<input checked="" type="checkbox"/> BW	Valley Forge's New Products, CLINICA, 475, 5, 11/6/91					
<input checked="" type="checkbox"/> BX	Valley Forge Scientific Corp., "Summary of Safety and Effective Information from 510K," 1991					
<input checked="" type="checkbox"/> BY	Codman & Shurtleff, Inc. "The Malis Bipolar Coagulating and Bipolar Cutting System CMC-II" brochure, early 1991					
<input checked="" type="checkbox"/> BZ	L. Malis, "The Value of Irrigation During Bipolar Coagulation" See ARTC 21602, early 4/9/93					
<input checked="" type="checkbox"/> CA	L. Malis, "Excerpted from a seminar by Leonard I. Malis, M.D. at the 1995 American Association of Neurological Surgeons Meeting," 1995					
<input checked="" type="checkbox"/> CB	L. Malis, "Electrosurgery, Technical Note," J. Neursurg., Vol. 85, 970-975, 11/96					
<input checked="" type="checkbox"/> CC	Ian E. Shuman, "Bipolar Versus Monopolar Electrosurgery: Clinical Applications," Dentistry Today, Vol. 20; No. 12, 12/01					
<input checked="" type="checkbox"/> CD	Protell et al., "Computer-Assisted Electrocoagulation: Bipolar v. Monopolar in the Treatment of Experimental Canine Gastric Ulcer Bleeding," Gastroenterology Vol. 80, No. 3, pp. 451-455					
<input checked="" type="checkbox"/> CE	Cook and Webster, "Therapeutic Medical Devices: Application and Design," 1982					
<input checked="" type="checkbox"/> CF	Valleylab SSE2L Instruction Manual, 1/6/83					
<input checked="" type="checkbox"/> CG	Robert D. Tucker et al., "Demodulated Low Frequency Currents from Electrosurgical Procedures," Surgery, Gynecology and Obstetrics, 159:39-43, 1984					
<input checked="" type="checkbox"/> CH	Lu, et al., "Electrical Thermal Angioplasty: Catheter Design Features, In Vitro Tissue Ablation Studies and In Vitro Experimental Findings," Am J. Cardiol Vol. 60, pp. 1117-1122					
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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
___ CH	Selikowitz & LaCourse, "Electric Current and Voltage Recordings on the Myocardium During Electrosurgical Procedures in Canines," <i>Surgery, Gynecology &amp; Obstetrics</i> , Vol. 164, 219-224, March 1987					
___ CI	J. O'Malley, Schaum's Outline of Theory and Problems of Basic Circuit Analysis, McGraw-Hill, 2 <sup>nd</sup> Ed., 1992, pp. 3-5					
___ CJ	Arnaud Wattiez et al., "Electrosurgery in Operative Endoscopy," <i>Electrosurgical Effects</i> , Blackwell Science, pp. 85-93, 1995					
___ CK	Leslie A. Geddes, "Medical Device Accidents: With Illustrative Cases" CRC Press, 1998					
___ CL	Wyeth, "Electrosurgical Unit" pp. 1181-1202					
___ CM	C.P. Swain, et al., <i>Gut</i> Vol. 25, pp. 1424-1431 (1984)					
___ CN	Piercey et al., <i>Gastroenterology</i> Vol. 74(3), pp. 527-534 (1978)					
___ CO	A.K. Dobbie <i>Bio-Medical Engineering</i> Vol. 4, pp. 206-216 (1969)					
___ CP	B. Lee et al. <i>JACC</i> Vol. 13(5), pp. 1167-1175 (1989)					
___ CQ	K. Barry et al. <i>American Heart Journal</i> Vol. 117, pp. 332-341 (1982)					
___ CR	W. Honig <i>IEEE</i> pp. 58-65 (1975)					
___ CS	Jacob Kline, <i>Handbook of Biomedical Engineering</i> , Academic Press Inc., N.Y., pp. 98-113, 1988					
___ CT	M.B. Dennis et al. "Evolution of Electrofulguration in Control of Bleeding of Experimental Gastric Ulcers," <i>Digestive Diseases and Sciences</i> , Vol. 24, No. 11, 845-848					
___ CU	Letter from Department of Health to Jerry Malis dated April 15, 1985					
___ CV	Letter from Jerry Malis to FDA dated July 25, 1985					
___ CW	Letter from Department of Health to Jerry Malis dated 04/22/91					
___ CX	Leonard Malis, "Instrumentation for Microvascular Neurosurgery" <i>Cerebrovascular Surgery</i> , Vol 1, 245-260, 1985;					
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___ CZ /	98/11944	3/26/98	WO		
___ DA /	98/17190	4/30/98	WO		
___ DB /	99/47058	9/23/99	WO		
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)					
___ DC /	J. Saal, Md, et al. Thermal Characteristics and the Lumbar Disc: Evaluation of a Novel Approach to Targeted Intradiscal Thermal Therapy				
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